

REMARKS

Claims 1-4, 6-13 and 15-20 are pending in this application. By this Amendment, claims 1, 16 and 17 are amended. Support for the amendments to claims 1, 16 and 17 can be found at least in Figs. 14 and 15 and the corresponding disclosure in the specification. No new matter is added.

I. Allowable Subject Matter

Applicants thank the Examiner for the indication that claim 20 is allowed. However, for at least the reasons discussed below, all of the pending claims are in condition for allowance.

II. The Claims Define Patentable Subject Matter

Claims 1-4, 9, 13 and 15-19 are rejected under 35 U.S.C. §103(a) over Sasaki et al. (U.S. Patent Application Publication No. 2002/0056961) in view of Fujiwara (U.S. Patent Application Publication No. 2003/0164317) and further in view of Stier (WO 99/47362); claims 6-8 are rejected under 35 U.S.C. §103(a) over Sasaki in view of Fujiwara and further in view of Stier and Ishiduka et al. (U.S. Patent No. 6,217,019); and claims 10-12 are rejected under 35 U.S.C. §103(a) over Sasaki in view of Fujiwara and further in view of Stier and Ishiduka. The rejections are respectfully traversed.

None of the above-applied references teach every claimed feature of independent claims 1, 16 and 17. None of the above-applied references teach "the fold-back part is folded outwardly at the fold line, and has a width in a direction perpendicular to the sheet feed direction that is smaller at the fold line than at the front edge," as recited in independent claims 1, 16 and 17 (emphasis added).

The Office Action asserts that the cutouts 23 and 25 of Sasaki correspond to the claimed front edge and that the bend line 30 of Sasaki corresponds to the claimed fold line of independent claim 1 (see Office Action, page 2). The Office Action further asserts that the

locking flap 26 or fold line 34 of Stier corresponds to the claimed fold line of independent claims 1, 16 and 17 (see Office Action, page 3). However, in each of the above interpretations, the alleged fold back parts have an equal or greater width at the alleged fold lines than at the alleged front edge. For example, the width of the push plate 11h at the bend line 30 of Sasaki is longer than at the portion of the packaging case 11 where the cutouts 23/25 are removed (see Fig. 4 of Sasaki). Further, the protective end flap 26 of Stier maintains an equal width at the fold line 34 and across the bottom of the cartridge 10 (see Fig. 2 of Stier). Therefore, none of the above-applied references teach "the fold-back part is folded outwardly at the fold line, and has a width in a direction perpendicular to the sheet feed direction that is smaller at the fold line than at the front edge," as recited in independent claims 1, 16 and 17 (emphasis added).

Further, it would not have been obvious to combine Stier with Sasaki, Fujiwara and Ishiduka because the push plate 11h of Sasaki would be rendered inoperable for its intended purpose (see MPEP §2143.01(V)). The Office Action asserts that the locking flap 26 of Stier corresponds to the claimed fold back part of the independent claims, and that the locking flap 26 of Stier is folded outwardly at the fold line (see Office Action, page 3). The Office Action further asserts that it would have been obvious to substitute the push plate 11h of Sasaki with the locking flap 26 of Stier to achieve the claimed fold back part (see Office Action, page 3). This assertion is respectfully traversed.

The push plate 11h of Sasaki is biased inwardly so that the recording sheets may be biased against the bottom plate 11b and packed tightly with one another (see paragraphs [0077] and [0082] of Sasaki). If the push plate 11h were folded outwardly, as the Office Action asserts would have been obvious, the sheets would not be packed tightly with one another and thus would not be correctly fed into the printer system. Therefore, it would not have been obvious to combine the locking flap 26 of Stier with the push plate 11h of Sasaki

because doing so would render Sasaki inoperable for its intended purpose (see MPEP §2143.01(V)).

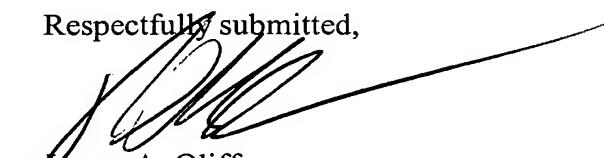
Therefore, for at least these reasons, independent claims 1, 16 and 17 are patentable over Sasaki, Fujiwara, Ishiduka and Stier. Claims 2-4, 6-13, 15, 18 and 19, which depend from independent claim 1, are also patentable for at least their dependency on independent claim 1, as well as for the additional features they recite. Applicants thus respectfully request withdrawal of the rejections.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Patrick T. Muffo
Registration No. 60,342

JAO:PTM/axl

Attachment:

Request for Continued Examination

Date: May 27, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--